

EXHIBIT A

The Honorable Rachel Peter Kovner
United States District Judge
Eastern District of New York

Re: Rives v. SUNY Downstate College of Medicine, *et al.*
Case No 1:20-CV-621 (RPK) (LB)

Dear Judge Kovner:

Defendants have submitted a reply to my brief addressing the Court's September 30th Order to Show Cause. *See* Defs.' Repl. (Dkt. #81). I beg the Court's leave to respond.

A second matter: Over the past year, I have reminded defendants at least four times of our mutual obligation under Fed. R. Civ. P. 26(f) to confer "as soon as practicable" in order to formulate a discovery plan. Defendants steadfastly refuse, saying they do not wish to engage in any discovery until their pending motion to dismiss has been fully decided. I have repeatedly encouraged them to seek a court order modifying or dispensing with the Rule 26(f) meet-and-confer requirement, but it appears that they have no intention of doing so. I therefore move for an order compelling defendants to meet and confer.

Respectfully submitted,



December 21st, 2022.